REMARKS

This Application has been carefully reviewed in light of the Office Action mailed August 10, 2007. Claims 1-25 were pending in the Application. In the Office Action, Claims 1-25 were rejected. Applicant adds new Claims 26-29. Thus, Claims 1-29 remain pending in the Application. Applicants respectfully request reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

SECTION 103 REJECTIONS

Claims 1-25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Patent Publication No. 2003/0193619 issued to Farrand (hereinafter "*Farrand*"). in view of U.S. Patent No. 6,131,136 issued to Liebenow (hereinafter "*Liebenow*"). Applicant respectfully traverses this rejection.

Of the rejected claims, Claims 1, 12 and 17 are independent. Applicant respectfully submits that each of independent Claims 1, 12 and 17 are patentable over the cited references. For example, independent Claim 1 recites "a sink component adapted to be communicatively coupled between a source component and a presentation device for displaying A/V program data and an A/V menu data stream associated with the source component on the presentation device" (emphasis added). The Examiner appears to rely on *Farrand* to disclose the above-referenced limitation of Claim 1 (Office Action, page 2). Applicant respectfully submits that *Farrand* does not disclose or even suggest the above-referenced limitation of Claim 1. For example, *Farrand* recites:

> A standard set of user interface components 694 included in one embodiment may be employed (e.g., by application developers) to generate unique interactive interfaces at each of the media nodes 191, 192. For example, a user-navigable tuning index may be included which lists available content by dates/times and allows users to graphically select a particular broadcast channel and/or stored content from the mass storage device 230.

(*Farrand*, paragraph 0064). However, neither the above-referenced portion of *Farrand* nor any other portion of *Farrand* appears to indicate that an A/V menu data **stream** is communicated to the nodes 191, 192 of *Farrand*. Therefore, for at least this reason, Applicant respectfully

submits that even if combined, the cited references fail to disclose each and every limitation of Claim 1.

Additionally, independent Claim 1 recites that "the sink component [is] adapted to automatically select at least one of a plurality of different types of communication networks for obtaining the A/V program data and the A/V menu data stream from the source component" (emphasis added). The Examiner appears to acknowledge that the above-referenced limitation is absent from *Farrand* (Office Action, page 3). However, the Examiner appears to rely on the purported teaching of *Liebenow* to remedy this deficiency of *Farrand* and that it would be obvious to provide the purported teaching of *Liebenow* in *Farrand* to arrive at Applicant's Claim 1 (Office Action, page 3). Applicant respectfully disagrees.

Liebenow appears to disclose a modem configured to switch between wireless and wire-based communication modes based on whether a wire-based network is attached to the modem (e.g., if a wire-based network is detected as being connected to the modem, the wire-based network is used, and if the modem fails to detect the wire-based network, the wireless network is used) (*Liebenow*, abstract). However, *Farrand* appears to disclose that only a single type of network is coupled to any particular source of media content. For example, *Farrand* recites:

> In one embodiment, the priomary communication medium over which the home media server 110 and the various devices 191-199 communicate is wireless RF (e.g., via network module 240), with terrestrial transport connections such as Ethernet reserved for devices which are not within RF transmission range. Moreover, certain devices which require a substantial amount of home media network 190 bandwidth (e.g., high definition television 171), and/or devices which are in close proximity to the media server 110 may be configured to communicate over terrestrial transports, depending on the requirements of the particular configuration.

(*Farrand*, paragraph 0058). Thus, even if combined, Applicant respectfully submits that the cited references fail to disclose every limitation of Claim 1 at lease because *Farrand* does not disclose or even suggest two different types of networks connected to a particular source of media content that would necessitate any switching function as proposed by the Examiner. Moreover, *Liebenow* appears to be directed toward a switchable modem usable with a portable computer to facilitate automatic switching between different networks based on the availability of

a land-line connection (*Liebenow*, column 1, lines 11-15, lines 65-67, and column 2, lines 1-9). In contrast, the devices 191, 192 of *Farrand* appear to form a permanent and/or non-portable component of the *Farrand* entertainment system so that a particular type of communication network would appear to always be present such that no switching function is needed. Therefore, for at least these reasons also, Applicant respectfully submits that Claim 1 is patentable over the cited references.

Independent Claim 12 recites "means for transmitting, via a sink component communicatively coupled between a source component and a presentation device, A/V program data and an A/V menu data stream from the source component to the presentation device based on a user request transmitted from the sink component to the source component" and "means disposed on the sink component for automatically selecting at least one of a plurality of different types of communication networks for communicating between the sink component and the source component" (emphasis added). Independent Claim 17 recites "transmitting, via a sink component communicatively coupled between a source component and a presentation device, A/V program data and an A/V menu data stream from the source component to the presentation device based on a user request transmitted from the sink component to the source component" and "automatically selecting at least one of a plurality of different types of communication networks for communicating between the sink component and the source component" (emphasis added). At least for the reasons discussed above in connection with independent Claim 1, Applicant respectfully submits that Claims 12 and 17 are also patentable over the cited references.

Claims 2-11, 13-16 and 18-25 depend respectively from independent Claims 1, 12 and 17. As indicated above, Applicants submit that Claims 1, 12 and 17 are patentable over the cited references. Therefore, Claims 2-11, 13-16 and 18-25 that depend respectively therefrom are also patentable. Accordingly, Applicant respectfully requests that the rejection of Claims 1-25 be withdrawn.

NEW CLAIMS

Applicant adds new Claims 26-29. New Claims 26-29 are fully supported by the specification as originally filed, and Applicant respectfully submits that new Claims 26-29 are

patentable over the cited art of record. Therefore, Applicant respectfully requests allowance of new Claims 26-29.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

With the presentation of new Claims 26-29, an excess claim fee of $620.00 pursuant to 37 C.F.R. § 1.16 is believed due. The Commissioner is hereby authorized to charge $620.00 to Deposit Account No. 08-2025 of Hewlett-Packard Company to cover the excess claim fees. If, however, Applicant has miscalculated the fee due with this Response, the Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this Response to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

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